

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: JOSEPH G. DUMOUCHELLE
and MELINDA J. ADDUCCI,

Case No. 2:21-cv-12087

Debtors,

HONORABLE STEPHEN J. MURPHY, III

/

FRED DERY,

Plaintiff,

v.

WILLIAM NOBLE RARE JEWELS, LP
and WILLIAM NOBLE,

Defendants.

/

IN RE: JOSEPH G. DUMOUCHELLE
and MELINDA J. ADDUCCI,

Case No. 2:23-cv-12967

Debtors,

HONORABLE STEPHEN J. MURPHY, III

/

MICHAEL A. STEVENSON,

Plaintiff,

v.

WILLIAM NOBLE and WILLIAM
NOBLE RARE JEWELS, LP,

Defendants.

/

**CASE MANAGEMENT ORDER REOPENING
CASE, CONSOLIDATING CASES, AND AMENDING CASE CAPTION**

The Court administratively closed the lead case (No. 21-cv-12087) while the bankruptcy court resolved pretrial matters. *In re DuMouchelle, et al.*, No. 21-cv-12087, ECF 3. The Court explained that it would re-open the case after the bankruptcy court determined the case was ready for trial. *Id.* at 21. The bankruptcy judge then issued a recommendation to resolve the motion for summary judgment, but the recommendation was ledged under a new case number. *In re DuMouchelle, et al.*, No. 23-cv-12967, ECF 1. Because the two case numbers concern the exact same parties and issues, the Court will order the Clerk of the Court to consolidate the cases and close the later-filed case. The Court will also order the Clerk of the Court to re-open the lead case because the bankruptcy court resolved pretrial matters. *See id.*

Additionally, the Clerk of the Court must amend the case caption on the lead case because Plaintiff Fred Dery died and was replaced as Chapter 7 bankruptcy trustee by Michael A. Stevenson. *In re DuMouchelle, et al.*, No. 23-cv-12967, ECF 1-1, PgID 12. Last, for clarity and efficiency, the Court will order the Clerk of the Court to file the bankruptcy judge's recommendation, ECF 1, and Mr. Stevenson's objection to the recommendation, ECF 3, on the lead case docket.

WHEREFORE, it is hereby **ORDERED** that the Clerk of the Court must **RE-OPEN** the lead case *In re DuMouchelle*, 21-cv-12087.

IT IS FURTHER ORDERED that the Clerk of the Court must **CONSOLIDATE** *In re DuMouchelle*, 21-cv-12087, with *In re DuMouchelle*, 23-cv-12967.

IT IS FURTHER ORDERED that the Clerk of the Court must **CLOSE** *In re DuMouchelle*, 23-cv-12967.

IT IS FURTHER ORDERED that the Clerk of the Court must **AMEND** the case caption in the lead case (No. 21-cv-12087) to **INCLUDE** Michael A. Stevenson, Chapter 7 Trustee and Assignee of the Rights of Thomas Ritter as the Appellant/Plaintiff and **REMOVE** Fred Dery, Chapter 7 Trustee as the Appellant/Plaintiff.

IT IS FURTHER ORDERED that the Clerk of the Court must **FILE** the bankruptcy judge's recommendation from case No. 23-cv-12967, ECF 1, and **FILE** Michael Stevenson's objection from case No. 23-cv-12967, ECF 3, on the lead case docket (case No. 21-cv-12087).

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 16, 2024